

*J. Boyle*  
PTO/SB/21 (11-07)

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

7

Application Number

U. S. Patent 6,830,922

Filing Date

ISSUED: December 14, 2004

First Named Inventor

Jasienski et al.

Art Unit

Examiner Name

Attorney Docket Number

15147-10166

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### ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐

Reply to Missing Parts/  
Incomplete Application

☐

Reply to Missing Parts  
under 37 CFR 1.52 or 1.53

☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a  
Provisional Application

☐

Power of Attorney, Revocation  
Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

☐

After Allowance Communication to TC

☐

Appeal Communication to Board  
of Appeals and Interferences

☐

Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☒

Other Enclosure(s) (please identify  
below):

#### Remarks

Notification Concerning Change in Entity Status (1 page);  
Notification of Error in Payment of Fee(s) as a Small Entity (2 pages);  
Fee Address Indication Form (1 page);  
Deposit Account Authorization for Payment (1 page);  
Postage prepaid return postcard.

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

KEAN MILLER HAWTHORNE D'ARMOND McCOWAN & JARMAN LLP

Signature

Printed name

ANTHONY G. BOONE

Date

Nov 19, 2007

Reg. No.

57,287

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

ANTHONY G. BOONE

Date

Nov 19, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Envirogen, Inc.

U.S. Patent No. 6,830,922

Issued: December 14, 2004

2007 NOV 23 P. 5:29

Title: System and Method for Inoculating a Biological Reactor

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Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

**OFFICE OF PETITIONS**

**NOTIFICATION CONCERNING CHANGE IN ENTITY STATUS**

I, Scott LaGrange, the Executive Vice President of Envirogen, Inc., make this statement in support of the Change in Entity Status;

1. U. S. Application No. 10/036,962, titled "System and Method for Inoculating a Biological Reactor" was filed December 21, 2001, and was assigned to Applicant, Envirogen, Inc., by the inventors, Raymond Jasienski and Younghua Yang, on April 30, 2002 and May 3, 2002, respectively. At the time the patent application was filed and assigned, Envirogen, Inc. met the requirements of a small entity as set forth in 37 C.F.R. 1.27.

2. On January 30, 2003, Envirogen, Inc. was acquired by Shaw Environmental & Infrastructure, Inc. pursuant to an Agreement and Plan of Merger. As a result of the Agreement and Plan of Merger, Envirogen, Inc. is now a wholly-owned subsidiary of Shaw Environmental & Infrastructure, Inc. ("Shaw E&I"). Shaw E&I does not meet the requirements of a small entity as set forth in 37 CFR 1.27.

3. U. S. Application No. 10/036,962 issued on December 14, 2004 as U. S. Patent No. 6,830,922, titled "System and Method for Inoculating a Biological Reactor". At the time that the patent issued, Envirogen, Inc. no longer met the requirements of a small entity as set forth in 37 C.F.R. 1.27.

4. Applicant hereby notifies the Office, in accordance with the requirements of 37 C.F.R. § 1.27(g)(2), that it no longer has status as a small entity.

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5. Envirogen, Inc. therefore respectfully requests that the USPTO change the status of Envirogen, Inc. from "Small Entity" to "Large Entity" and that Envirogen, Inc. be allowed to pay its maintenance fees as a large entity.

Envirogen, Inc.

Date: 11-01-07

By: Scott P. LaGrange  
Scott LaGrange  
Executive Vice President



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Envirogen, Inc. )

U.S. Patent No. 6,830,922 )

Issued: December 14, 2004 )

Title: System and Method for Inoculating a Biological Reactor

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**NOTIFICATION OF ERROR IN PAYMENT OF  
FEE(S) AS A SMALL ENTITY  
[37 C.F.R. § 1.28(c)]**

I, Scott LaGrange, the Executive Vice President of Envirogen, Inc., make this statement in support of the Change in Entity Status;

1. U. S. Application No. 10/036,962, titled "System and Method for Inoculating a Biological Reactor" was filed December 21, 2001, and was assigned to Applicant, Envirogen, Inc., by the inventors, Raymond Jasienski and Younghua Yang, on April 30, 2002 and May 3, 2002, respectively. At the time the patent application was filed and assigned, Envirogen, Inc. met the requirements of a small entity as set forth in 37 C.F.R. 1.27.

2. On January 30, 2003, Envirogen, Inc., was acquired by Shaw Environmental & Infrastructure, Inc., pursuant to an Agreement and Plan of Merger. As a result of the Agreement and Plan of Merger, Envirogen, Inc. is now a wholly-owned subsidiary of Shaw Environmental & Infrastructure, Inc. ("Shaw E&I"). Shaw E&I does not meet the requirements of a small entity as set forth in 37 C.F.R. 1.27.

3. U. S. Application No. 10/036,962 issued on December 14, 2004 as U. S. Patent No. 6,830,922, titled "System and Method for Inoculating a Biological Reactor". At the time that the patent issued, Envirogen, Inc. no longer met the requirements of a small entity as set forth in 37 C.F.R. 1.27.

4. Applicant hereby notifies the Office, in accordance with 37 C.F.R. § 1.28 (c), that the Office was not notified of Applicant's loss of entitlement to small entity status as required by § 1.27(g)(2).

5. Applicant hereby notifies the Office, in accordance with 37 C.F.R. § 1.28 (c), that, through error and good faith, the Office was not notified of Applicant's loss of entitlement to small entity status as required by § 1.27 (g)(2).

6. Pursuant to 37 C.F.R. § 1.28(c)(2), Applicant submits the deficiency payment below that resulted from the previous erroneous payment of small entity fees.

FEE(S) ERRONEOUSLY PAID AS A SMALL ENTITY	FEE ACTUALLY PAID AS A SMALL ENTITY	DEFICIENCY OWED
Issue Fee	\$665.00	\$775.00

Deficiency Owed for Issue Fee:       \$ 775.00  
Additional Surcharge                   \$ 130.00

TOTAL Deficiency Owed:               \$ 905.00

The total deficiency owed is paid as follows:

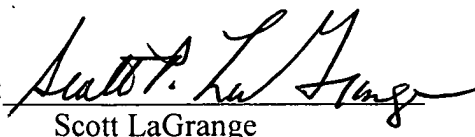
  X   Authorization is hereby made to charge the amount of \$905.00 to Deposit Account 11-0245 in the name of Kean Miller Hawthorne D'Armond McCowan & Jarman LLP.

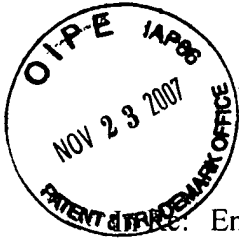
Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

Envirogen, Inc.

Date: 11-01-07

By:   
Scott LaGrange  
Executive Vice President



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Envirogen, Inc.  
U. S. Patent No. 6,830,922  
Issued: December 14, 2004  
Title: System and Method for Inoculating a Biological Reactor  
Docket No.: 15147-10166

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COMMISSIONER FOR PATENTS  
P. O. BOX 1450  
ALEXANDRIA, VA 22313-1450

DEPOSIT ACCOUNT AUTHORIZATION FOR PAYMENT

Dear Sir:

The Commissioner is hereby authorized to charge the deficiencies owed of \$905.00 in connection with that Notification of Error in Payment of Fee(s) as a Small Entity [37 C.F.R. §1.28(c)] to Deposit Account No. 11-0245 in the name of Kean, Miller, Hawthorne, D'Armond, McCowan & Jarman, LLP.

Respectfully submitted,

Anthony G. Boone, PTO Reg. No. 57,287  
Russel O. Primeaux, PTO Reg. No. 37,213  
KEAN, MILLER, HAWTHORNE, D'ARMOND,  
McCOWAN & JARMAN, L.L.P.  
P. O. Box 3513  
Baton Rouge, Louisiana 70821-3513

Date: November 17, 2007